

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

WILLIAM GONZALEZ,

Plaintiff,

v.

NANCY A. BERRYHILL, Acting Commissioner  
of Social Security,

Defendant.

CIVIL ACTION  
NO. 16-3666

**ORDER**

**AND NOW**, this 22<sup>nd</sup> day of September, 2017, upon consideration of Plaintiff's Brief and Statement of Issues in Support of Request for Review and Defendant's Response thereto and Plaintiff's Reply, as well as the record therein, and after review of the Report and Recommendation of United States Magistrate Linda K. Caracappa, Plaintiff's objections thereto and Defendant's response, it is hereby

**ORDERED** as follows:

1. The Report and Recommendation is not adopted;
2. Plaintiff's Request for Review of the decision of the Commissioner of the Social Security Administration is **GRANTED**; and
3. This matter is **REMANDED** to the Commissioner, pursuant to sentence four of 42 U.S.C. § 405(g), for further proceedings consistent with the court's accompanying memorandum.

**BY THE COURT:**

**/s/ Jeffrey L. Schmehl**  
**Jeffrey L. Schmehl, J.**